

**Testimony Before the Senate Select Committee on Intelligence Hearing on  
“Countering China’s Malign Influence Operations in the United States”**

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Chairman Warner, Vice Chairman Rubio, and members of the Committee, thank you for inviting me to testify at today’s hearing to discuss the foreign malign influence and transnational repression activities carried out by the government of the People’s Republic of China (PRC). I appeared before this Committee many times while I was an executive in the FBI and always respected your efforts to both enlighten the American people and arm the government and private sector with the information and tools they need to make sound decisions and protect their most valuable assets, ideas, and people. That was also priority for me when I worked at the FBI, and the importance of providing clarity and confidence to American businesses remains a critical goal of mine in my new role at Pamir.

**China’s Malign Influence Efforts**

The Chinese government, run by the Chinese Communist Party (CCP), is a threat to the American way of life. The CCP pursues every possible avenue to destroy our free and fair society, challenging international norms, stealing our innovation and jobs, and eschewing transparency, fairness, and reciprocity in its attempts to undermine the U.S., our people, our economy, and our freedoms. China is engaged in a broad, diverse campaign to influence U.S. society, our institutions, our corporations, and our leaders to force the U.S. government (USG) into alignment with Chinese policy, promote Chinese economic interests, and ensure the stability of its own political system. When those influence efforts are subversive, undeclared, coercive, or criminal, they fall into the category of malign foreign influence, or MFI. In extreme cases, when individuals are threatened or harassed, it is often referred to as transnational repression, or TNR. Countering MFI and TNR are among the highest priorities of the FBI and the USG.

It is worth noting that references to China throughout my written statement and verbal remarks refer to the PRC government, which is controlled by the CCP. I do not believe, nor does the FBI, that the Chinese people are our adversary, and we certainly do not believe that Chinese Americans are our adversaries; in fact, Chinese Americans are often the targets of the PRC government’s harassment as part of its campaign to repress free speech around the world. In the course of conducting its counterintelligence work, the FBI seeks to protect those things in our society that we value the most and prioritizes that which our adversaries may attempt to target. Many things in the United States fall into both categories, including Chinese Americans. They are not a risk; they are *at risk*. More importantly, they are Americans and deserve all of the protections the U.S. Constitution affords them, and that the FBI exists to uphold and safeguard.

A hallmark of China’s approach to influence in the U.S. is to target broadly and use multiple vectors to achieve their goals. China’s efforts to influence are not directed only at the federal government; the Chinese government has found subnational-level influence to be a successful tool in their effort to manipulate the environment to their advantage. Subnational leaders — governors, mayors, economic development specialists, and corporate leaders, among others — are often more focused on job creation, capital investment, business expansion into the Chinese market, and cultural or educational exchanges and less attuned to the methods of Chinese political influence operations in their areas of responsibility. As FBI Director Christopher Wray noted in his January 2022 speech at the Reagan Library, “The Chinese government understands that politicians in smaller roles today may rise to become more influential over time. So they look to cultivate talent early — often state and local officials — to ensure that politicians at all levels of government will be ready to take a call and advocate on behalf of Beijing’s agenda.”<sup>i</sup>

There is no single Chinese organization responsible for influence activity in the United States. Chinese influence can come from many quarters, as both the Chinese government and the CCP oversee multiple organizations responsible for different aspects of China's influence activities. For example, the United Front Work Department (UFWD) is the Chinese Communist Party’s official agency to propagate Chinese soft power with the goals of influencing domestic and international dialogue toward CCP interests. Outside of the PRC, the UFWD works largely by proxy, through a number of subordinate organizations. The individuals associated with these organizations commonly conduct influence on behalf of the CCP in the academic, business, cultural, and political spheres in ways that obscure the hand of the Chinese government or CCP in influencing the United States. The Ministry of State Security (MSS), Ministry of Public Security (MPS), and Ministry of Foreign Affairs are all also active in united front and influence campaigns inside the United States.<sup>ii</sup> My co-panelists, Sarah Cook from Freedom House and Glenn Tiffert of the Hoover Institution, will cover this in more detail.

### **China’s Transnational Repression**

When the PRC government uses threats and intimidation to achieve their influence goals, they are engaging in transnational repression, a term used to describe actions by foreign governments to silence, intimidate, harass, and even kidnap or murder dissidents who dare to criticize them.

Emboldened by the lack of significant consequences, and in support of their desire to control overseas populations and silence critics, the PRC government and its proxies engage in repressive activity around the world. China is not the only country to do this: The scope and scale of foreign government-backed TNR in the United States and around the world is increasing. In its 2023 update to its reporting, Freedom House identified 854 TNR cases between 2014 and 2022, with China accounting for nearly 30 percent of those instances.<sup>iii</sup> In the course of its review, Freedom House determined TNR is becoming “a normal phenomenon” through which an increasing number of governments are using digital, administrative, and physical tactics to repress, silence, and co-opt targets abroad.<sup>iv</sup>

U.S.-based TNR targets include diaspora members, dissidents, political opponents, journalists, and human rights and pro-democracy advocates. TNR tactics include online harassment, coercion by proxy (including threats to family and friends overseas), mobility controls, freezing

of assets, cyberattacks, use of spyware, online disinformation campaigns, surveillance, physical intimidation, assault, and forced repatriation.

## **FBI and USG Response to China's Malign Foreign Influence and Transnational Repression**

The FBI is the lead investigative agency charged with combating malign foreign influence, and the responsibility for those investigations falls to its Foreign Influence Task Force (FITF), a multi-agency component managed by the FBI's Counterintelligence Division. The FITF manages MFI cases around the country, in close coordination with other divisions in the FBI and multiple federal and private sector partners. TNR cases are managed by the Counterintelligence Division. It is important to note that the FBI does not open cases based on First Amendment-protected activities; it focuses only on those influence activities that are subversive, undeclared, criminal, or coercive and carried out by foreign powers or their proxies.

The USG has made great strides in its effort to combat foreign influence, especially since the 2016 presidential election. In addition to creating the FITF, the FBI partners with entities in the U.S. Departments of State and Homeland Security, among other agencies, to address the threat of MFI. Together with those partners, the FBI conducts investigations, shares intelligence extensively with state election officials and others, provides defensive briefings to targeted individuals, and strives to educate the public about the threats. One highlight of the FBI's outreach effort is its *Threat Intimidation Guide*, which details the types of threats a person could face and provides guidance on how to respond. The guide is available on the FBI's website and has been translated into dozens of languages.<sup>v</sup> Importantly, the USG's work to combat MFI is also enhanced through strategic engagement and extensive sharing with private sector technology and social media companies.

Another example of particularly effective partnerships is the Counterintelligence Task Forces located in all 56 FBI field offices. These field task forces are managed by the National Counterintelligence Task Force (NCITF), established by the FBI in 2019 to coordinate USG counterintelligence activities. The NCITF is effectively the action arm of the President's Counterintelligence Strategy, developed by the Office of the Director of National Intelligence's National Counterintelligence and Security Center. It uses the capabilities, authorities, and resources of nearly 50 agencies to achieve strategic objectives that are then executed by task force members in FBI field offices around the country. For example, NCITF teams focus on protecting key technologies, such as quantum and hypersonics; rallied to protect critical COVID-19 vaccine research from foreign spies; and address other challenging problems that require a coordinated solution. It is the USG's whole-of-government response to the PRC's whole-of-government attack.

### **Examples of Alleged MFI and TNR Activity**

Since 2020, the Department of Justice has charged dozens of individuals for activity related to MFI or TNR. For example:

- In May 2023, the FBI arrested Liang Litang for acting as an undeclared agent of the PRC. Between 2018 and at least 2022, Liang allegedly provided UFD and MPS officials with information on Boston-area individuals and organizations, including photographs of and information about PRC dissidents; organized a counter-protest against pro-democracy dissidents; and provided names of individuals to the MPS so they could be recruited.
- On April 10, 2023, the U.S. Attorney's Office for the Eastern District of New York charged 44 Chinese nationals for conducting online disinformation campaigns that promoted PRC propaganda and for attempting to intimidate and silence PRC critics. One complaint charged 34 members of the MPS's 912 Special Project Working Group with conspiring to commit interstate harassment and transmitting foreign threats as part of a PRC influence operation seeking to shape U.S. public opinion on social media platforms and target anti-PRC dissidents. The 34 MPS members allegedly masqueraded as Americans on U.S. social media platforms and received taskings to sow division and undermine democracy by spreading anti-democratic narratives targeting both major U.S. political parties. In addition, from 2020 to 2021, MPS 912 accounts posted politically divisive content about police-involved shootings in the U.S., the January 6 insurrection, healthcare, COVID-19, abortion, and immigration.<sup>vi</sup>
- A second complaint charged 10 Chinese nationals, including MPS and Cyberspace Administration of China officers, as well as a former employee of a U.S. videoconferencing company, for manipulating a U.S. company's video systems to censor the political and religious speech of individuals located in the U.S. Chinese nationals conspired to intimidate and harass attendees of a series of video meetings in 2020 commemorating the 31st anniversary of the Tiananmen Square Massacre.<sup>vii</sup>
- In 2022, the FBI and Department of Justice announced charges in three TNR cases involving Chinese government officials: In the first, a former MPS officer hired a private investigator to attempt to derail the Congressional campaign of a former Tiananmen Square protester running for the First Congressional District of New York. The former MPS officer instructed the private investigator to manufacture derogatory information by setting the victim up with an escort and then advocated using violence if that did not work.<sup>viii</sup>
- In the second case, the FBI charged four MSS intelligence officers and a U.S. person with allegedly surveilling pro-democracy dissidents in New York. The MSS tasked the U.S. person to run a pro-democracy association so that he could keep track of dissidents and report back to the Chinese government. Some of these dissidents were arrested when they traveled to Hong Kong.<sup>ix</sup>
- Finally, in the third case, the FBI charged a businessman and two private investigators tasked by the Chinese government to harass and surveil multiple dissidents on U.S. soil. One of these dissidents was a former Tiananmen Square protester whose daughter was an Olympic skater competing in the Beijing Olympics. The Chinese government targeted him in an attempt to ascertain whether he would travel with his daughter so they could arrest him.<sup>x</sup>

- And in the most brazen violation of all, in April 2023, the USG charged two individuals for allegedly running an undeclared police station on U.S. soil on behalf of the MPS. One of the individuals is also accused of targeting the campaign manager of the former Tiananmen Square protester running for Congress in New York as part of the Chinese government's campaign to suppress his freedom of speech.<sup>xi</sup>

## **Recommendations**

I respectfully submit the following list of recommendations for the Committee's consideration:

- **Increase efforts to educate and inform the populations most at risk.** The American public, at all levels, needs to be made aware of the CCP's intentions and tactics. Armed with insight about how they can be targeted and manipulated, Americans can recognize influence efforts when they encounter them and insist on transparency and equality in their interactions with China. If a silver lining is to be found in the Chinese spy balloon episode from earlier this year, it is that the American public could look in the sky and see for themselves what many of us already knew: The Chinese government is spying on us. While a spy balloon is a self-evident threat, the threats of malign foreign influence, transnational repression, and economic espionage are often hidden. Hearings such as this one are one important way to enlighten the American public and make them more resilient to the threats posed by China, but a much broader, more comprehensive education campaign is needed.
- **Increase partnerships across the spectrum.** China's whole-of-government approach demands a whole-of-government and whole-of-society response. China will succeed in its efforts if the American public, as well as the nation's corporations, universities, and government, are not in synch. This is not a problem the U.S. government can solve alone.
- **Adopt a new law or amend an existing one to criminalize TNR activity.** Currently, individuals charged as a result of their TNR behavior can only be charged under more general statutes because the U.S. lacks TNR-specific legal tools. These include stalking, wire fraud, lying to federal law enforcement, obstruction of justice, and acting on behalf of a foreign power. In some instances, the FBI and Department of Justice have been unable to pursue criminal charges, despite possessing clear evidence that subjects have targeted U.S.-based individuals and U.S. persons overseas. Many countries perpetrating TNR have become adept at using proxies such as private investigators. Currently, it is not illegal for a private investigator to conduct surveillance for a foreign government. A TNR statute specifically criminalizing TNR activity such as surveillance of a dissident would allow the U.S. government to more effectively deter TNR activity and communicate its efforts to the public.
- **Support funding and staffing of the USG counterintelligence workforce.** The collective USG counterintelligence team is more effective and efficient than ever, partnering and sharing information with each other in new ways and executing innovative and strategic operations against hostile nation-states. Still, our personnel are vastly outnumbered by our ever-adapting adversaries. A strong, capable, well-resourced counterintelligence workforce can serve as the nation's guardians against current and future threats.

Thank you again for inviting me to speak with you today. I look forward to your questions.

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<sup>i</sup> Remarks by Christopher Wray, FBI Director, “Countering Threats Posed by the Chinese Government Inside the U.S.,” Ronald Reagan Presidential Library and Museum, January 31, 2022. <https://www.fbi.gov/news/speeches/countering-threats-posed-by-the-chinese-government-inside-the-us-wray-013122>

<sup>ii</sup> Alex Joske, Australian Strategic Policy Institute, “The party speaks for you, Foreign interference and the Chinese Communist Party’s united front system,” Policy brief, Report No. 32/2020. <https://www.aspi.org.au/report/party-speaks-you>

<sup>iii</sup> Yana Gorokhovskaia, Nate Schenkkan, Grady Vaughan, *Still Not Safe: Transnational Repression in 2022*, (Washington, DC: Freedom House, April 2023). [https://freedomhouse.org/sites/default/files/2023-04/FH\\_TransnationalRepression2023\\_0.pdf](https://freedomhouse.org/sites/default/files/2023-04/FH_TransnationalRepression2023_0.pdf)

<sup>iv</sup> Nate Schenkkan and Isabel Linzer, *Out of Sight, Not Out of Reach*, (Washington, DC: Freedom House, 2021). [https://freedomhouse.org/sites/default/files/2021-02/Complete\\_FH\\_TransnationalRepressionReport2021\\_rev020221.pdf](https://freedomhouse.org/sites/default/files/2021-02/Complete_FH_TransnationalRepressionReport2021_rev020221.pdf)

<sup>v</sup> <https://www.fbi.gov/investigate/counterintelligence/threat-intimidation-guide#What-is-a-threat?>

<sup>vi</sup> <https://www.justice.gov/usao-edny/pr/34-officers-peoples-republic-china-national-police-charged-perpetrating-transnational>

<sup>vii</sup> <https://www.justice.gov/opa/pr/40-officers-china-s-national-police-charged-transnational-repression-schemes-targeting-us>

<sup>viii</sup> <https://www.justice.gov/usao-edny/pr/five-individuals-charged-variously-stalking-harassing-and-spying-us-residents-behalf>

<sup>ix</sup> <https://www.justice.gov/usao-edny/pr/us-citizen-and-four-chinese-intelligence-officers-charged-spying-prominent-pro>

<sup>x</sup> <https://www.justice.gov/opa/pr/massachusetts-man-indicted-acting-illegal-agent-people-s-republic-china>

<sup>xi</sup> <https://www.justice.gov/usao-edny/pr/two-individuals-arrested-operating-undeclared-police-station-chinese-government>